



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,912	06/01/2005	Didier Lacroix	Q87264	5416
23373	7590	04/30/2007	EXAMINER	
SUGHRUE MION, PLLC			MEHROUR, NAGHMEH	
2100 PENNSYLVANIA AVENUE, N.W.				
SUITE 800			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20037			2617	
			MAIL DATE	DELIVERY MODE
			04/30/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/529,912	LACROIX ET AL.	
	Examiner	Art Unit	
	Naghmeh Mehrpour	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 18 April 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-13 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. **Claims 1-13**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Buskens et al. (US Patent 6,215,782 B1) in view of Moulsey et al. (US Patent Number 6,668,168).

Regarding claims 1, 6, 11-13, Buskens teaches/method Apparatus for managing radio links between at least one mobile station (MS-i) and a radio network controller (BSCn) of a radio access network (RAN) of a communications network, the apparatus comprising:

detecting whether a radio link interruption occurs which prevents the mobile station and the radio network controller from communicating with each other via a radio link (col 4 lines 12-30);

in the event of such an interruption being detected, to order said radio network controller (BSCn) to suspend said radio link between the mobile station and the access network suspending and attempting to reactivate a radio link for a predetermined time interval; and (col 4 lines 30-50);

if the radio link is not reactivated within the predetermined time interval, determining that the interruption is permanent (col 6 lines 29-50).

Buskens fails to teach a method/apparatus wherein the same radio channel is reactivated. However, Moulsey teaches a method/apparatus wherein the same radio channel is reactivated. Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching with Buskens, in order to reduce the excessive overhead that control channels represent on a data channel using a small proportion of the available channel capacity.

Regarding claims 2, 7, Buskens teaches a method/apparatus wherein said control means (CM) are arranged to order said radio network controller (BSCn) to attempt to reactivate said radio link after each detection of an interruption signaled by said detector means (DM) (col 5 lines 5-55).

Regarding claims 3, 8, Buskens teaches apparatus that said control means (CM) are arranged to order said radio network controller (BSCn) to attempt to reactivate a radio link in application of timetable over a predetermined time interval (col 5 lines 55-67, col 6 lines 1-20). Buskens fails to teach a method/apparatus wherein the same radio

Art Unit: 2617

channel is reactivated. However, Moulsey teaches a method/apparatus wherein the same radio channel is reactivated. Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching with Buskens, in order to reduce the excessive overhead that control channels represent on a data channel using a small proportion of the available channel capacity.

Regarding claims 4, 9 Buskens teaches an apparatus timetable in that periodic type (col 6 lines 55-67; col 7 lines 1-25).

Regarding claims 5, 10, Buskens modified by Moulsey does not teach apparatus/method characterized that said control means (CM) are arranged to draw up said timetable on the basis of statistical results obtained in said communications network and relating to the durations of said interruptions detected by said detector means (DM). However, Examiner takes official notice that a method/apparatus wherein control means (CM) are arranged to draw up said timetable on the basis of statistical results obtained in said communications network and relating to the durations of said interruptions detected by said detector means (DM), is well known in the art. Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching with Buskens modified by Moulsey, in order to provide service quality report for the purpose of improving the performance of the system.

Response to Arguments

2. Applicant's arguments with respect to claims 1-13 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

4. **Any responses to this action should be mailed to:**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naghmeh Mehrpour whose telephone number is 571-272-7913. The examiner can normally be reached on 8:00- 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold be reached (571) 272-7905.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NM

April 26, 2007



NAGHMEH MEHRPOUR
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read "Naghmeh Mehrpour". Below the signature, the name is printed in capital letters: "NAGHMEH MEHRPOUR" on top and "PRIMARY EXAMINER" on the line below.